

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Diane Myers,

Plaintiff,

v.

No. 1:04cv1167 (GLS/DRH)

Aramark Services, Inc. and Motel, et al.

Defendants.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

The Court has been advised by counsel to the parties in the above captioned case that the case has been settled. Counsel has also advised that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED that:

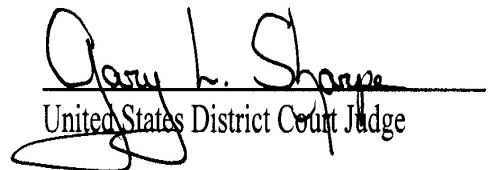
1. The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated;

2. The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated; and

3. The Clerk shall forthwith serve by regular mail copies of this Judgment upon the attorneys for the parties appearing in this action.

IT IS SO ORDERED.

DATED: September 14, 2006
Albany, New York


United States District Court Judge